KA/ BG-GPO / 2515 / WPP-47 / 2009-2011

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೬	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಜೂನ್ ೨೩, ೨೦೧೧, (ಆಷಾಢ ೨, ಶಕ ವರ್ಷ ೧೯೩೩)	ಸಂಚಿಕೆ ೨೫

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001,

NOTIFICATION

Dated: 30th May, 2011

9th Jyaistha, 1933

No. 82/KT-LA/(9/2004)/2005-In pursuance of Section 106 (b) of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby publishes the order of the High Court of Karnataka dated 20th July, 2010 in Election Petition No 9 of 2004.

IN THE HIGH COURT OF KARNATAKA, BANGALORE
DATED THIS THE 20TH DAY OF JULY, 2010
BEFORE
THE HON`BLE MR. JUSTICE K. SREEDHAR RAO
E.P. NO. 9 OF 2004

BETWEEN:

NARAYANA SWAMY M.
AGE : 52 YEARS
S/O CHIKKAMUNIVENKATAPPA
AT & POST KYASAMBALLY VILLAGE,
BANGARPET TALUK,
KOLAR DISTRICT ... PETITIONER
(BY SRI M.B. NARAGUND & C. SHASHIKANTHA, ADVS.)

AND:-

1. DR. MOHAN C.
S/O. CHIKKAPILLAPPA,
MAJOR,
R/O. KHADHIRIPURAM,
KOLAR TOWN,
KOLAR DISTRICT.

2. RAMACHANDRA,
S/O. MUNIYAPPA,
MAJOR,
NO. 1, PALAVATHIMMANAHALLI,
POST DESHIHALLI,
BANGARPET TOWN,
KOLAR DISTRICT.
3. VENKATAMUNIYAPPA B.P.
S/O. PILLAPPA,
MAJOR,
R/O. BENGANUR VILLAGE,
POST S.G. KOTE,
BANGARPET TALUK,
KOLAR DISTRICT
4. SRINIVASAIAH V.
S/O. VENKATAPPA,
MAJOR,
BENNAVARA VILLAGE,
POST SRINIVASANDRA,
BANGARPET TALUK,
KOLAR DISTRICT.
5. SAMPATHKUMAR K.V.
S/O. VENKATASWAMY,
MAJOR,
R/O. NO. 168, AMBEDKAR NAGAR,
BANGARPET ROAD,
KOLAR TOWN,
KOLAR DISTRICT.
6. KRISHNAPPA,
S/O. APPANNA,
MAJOR,
R/O. NO. 250, AMBEDKAR NAGAR,
BANGARPET ROAD,
KOLAR TOWN,
KOLAR DISTRICT.
7. RAVI,
S/O. VENKATARAMAPPA,
MAJOR,
GUTTAHALLI MAJARA,
GANDHINAGAR,
POST: KARAMANGALA,
BANGARPET TALUK,
KOLAR DISTRICT.

RESPONDENTS

(BY SRI K. KRISHNAPPA, ADVOCATE FOR RI)
(BY SRI P.S. MANJUNATH & H.C. SHIVARAMU, ADVOCATES FOR R2)
(BY SRI G. KRISHNA MURTHY FOR M/S. ASHOK HARANAHALLI ASSOCIATES, ADVOCATE FOR R3)
(BY KESVY & CO. ADVOCATES FOR R4)
(BY M/S LAW ASSOCIATES, ADVOCATES FOR R6)
(R5 & R7 ARE SERVED BUT UNREPRESENTED)

THIS ELECTION PETITION IS FILED U/S. 81 OF THE REPRESENTATION OF PEOPLE ACT, 1951 BY THE PETITIONER-CANDIDATE AT 2004, GENERAL ELECTION TO THE KARNATAKA LEGISLATIVE ASSEMBLY CONSTITUENCY NO. 72 BETHAMANGALA (SC) ASSEMBLY CONSTITUENCY, HELD ON 13-05-2004 THROUGH HIS ADVOCATE SRI C. SHASHIKANTHA, PRAYING THIS HON'BLE COURT TO BE PLEASED A) TO DECLARE THE ELECTION OF RESPONDENT NO. 3 FROM NO. 72 BETHAMANGALA (SC) ASSEMBLY CONSTITUENCY TO THE KARNATAKA LEGISLATIVE ASSEMBLY DECLARED ON 13-05-2004 VIDE ANNEXURE Z-6 AND ANNEXURE Z-8 AS NULL, AND VOID AND SET ASIDE THE SAME: B) DECLARE THAT THE PETITIONER IS DULY ELECTED TO THE 12TH ASSEMBLY OF THE KARNATAKA STATE LEGISLATURE FROM NO. 72, BETHAMANGALA (SC) ASSEMBLY CONSTITUTENCY; C) AWARD THE COST OF THE ELECTION PETITION; AND D) PASS SUCH OTHER ORDER OF ORDERS AS THIS HON'BLE COURT MAY DEEM JUST AND NECESSARY IN THE FACTS AND CIRCUMSTANCES OF THE CASE IN THE INTEREST OF JUSTICE AND EQUITY.

This petition is coming on for orders this day, the Court made the following:

ORDER

This Court had granted the relief of recounting of votes and directed that the recounting to be held by the Chief Electoral Officer in the Open Court.

2. The Supreme Court in Civil Appeal No. 4230/06 has disposed of the appeal filed by the contesting respondent on the ground that subsequent to the filing of the Civil Appeal, the fresh elections to the State Legislation's were held, therefore, the appeal is disposed of as infructuous.

3. The counsel for the petitioner submits that the order of Supreme Court does not set aside the order passed by this Court in the petition. However, does not press for relief of recounting since fresh elections were held and relief has become infructuous, but contended that a direction be issued to the Election Commissioner to hold enquiry against the erring officials for whose fault, the faulty counting has taken place. Further, the counsel submitted that the cost deposited in the petition be directed to be refunded to the Petitioner.

4. With regard to the direction to the Election Commissioner for holding enquiry against erring officials, I do not find any good grounds to grant request. There is no patent element established on the part of the officials who were involved in counting. Therefore, the said request is rejected. Even otherwise, it is not the part of the prayer in the Election Petition and the said officials are not parties to the petition.

5. Since the present petition has also become infructuous in view of the subsequent developments. I deem it just and proper that the security deposit made by the petitioner be refunded to the petitioner. Accordingly, the petition is disposed of,

6. The electoral documents and other material objects of the District Election Officer be returned to the respective officers.

Sd/-
JUDGE

Under Rule 19 of the Election
Petition Procedure Rules 1967

FORMAL ORDER

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

ELECTION PETITION NO-09/2004

BETWEEN

SRI NARAYANA SWAMY M
S/O. CHIKKAMUNIVENKATAPPA
52 YEARS
AT & POST KYASAMBALLY VILLAGE
BANGARPET TALUK,
KOLAR DIST ….PETITIONER
(BY SRI M. B. NARAGUND & C. SHASHIKANTHA-ADVOCATES)

AND

1. DR. MOHAN C.
S/O. CHIKKAPILLAPPA,
R/O. KHADHIRIPURAM,
KOLAR TOWN
KOLAR DISTRICT
2. SRI RAMACHANDRA
S/O. MUNIYAPPA,
NO. 1, PALAVATHIMMANAHALLI,
POST DESHIHALLI,
BANGARPET TOWN,
KOLAR DISTRICT
3. SRI VENKATAMUNIYAPPA B.P.
S/O. PILLAPPA,
R/O. BENGANUR VILLAGE,
POST S.G. KOTE,
BANGARPET TALUK,
KOLAR DISTRICT.
4. SRI SRINIVASAIAH V.
S/O. VENKATAPPA,
BENNAVARA VILLAGE,
POST SRINIVASANDRA,
BANGARPET TALUK,
KOLAR DISTRICT.
5. SRI SAMPATHKUMAR K. V.
S/O. VENKATASWAMY,
NO. 168, AMBEDKAR NAGAR,
BANGARPET ROAD,
KOLAR TOWN,
KOLAR DISTRICT.
6. SRI KRISHNAPPA
S/O. APPANNA,
NO. 250, AMBEDKAR NAGAR,
BANGARPET ROAD,
KOLAR TOWN,
KOLAR DISTRICT.
7. SRI RAVI,
S/O. VENKATARAMAPPA,
GUTTAHALLI MAJARA,
GANDHINAGAR,
POST: KARAMANGALA,
BANGARPET TALUK,
KOLAR DISTRICT. … RESPONDENTS

(BY SRI K KRISHNAPPA-ADVOCATE FOR R-1)
(BY SRI P.S. MANJUNATH & H.C. SHIVARAMU-ADVOCATES R2)
(BY SRI G. KRISHNA MURTHY FOR M/S ASHOK HARANAHALLI ASSOCIATES, ADVOCATE FOR R-3)
(BY KESVY & CO., ADVOCATES FOR R-4)
(BY M/S LAW ASSOCIATES ADVOCATE FOR R-6)
(R-5 & R-7 ARE SERVED BUT UNREPRESENTED)

This Election Petition is presented under Section 81 of the Representation of People Act, 1951, by the Petitioner-Candidate through his advocate Sri C. Shashikantha challenging the Election of Respondent-3 held during the year 2004. General Election to the Karnataka Legislative Assembly Constituency No 72. Bethamangala (SC) Assembly Constituency, on 13-05-2004 praying this Hon'ble Court be pleased to a) declare the election of Respondent No. 3 from No. 72 Bethamangala (SC) Assembly Constituency to the Karnataka Legislative Assembly declared on 13-05-2004 vide annexure Z-6 and annexure Z-8 as null and void and set aside the same: b) declare that the petitioner is duly elected to the 12th Assembly of the Karnataka State Legislature from No. 72 Behtamangala (SC) Assembly Constituency: c) award the cost of the election petition; and d) pass such

other order or orders as this Hon'ble Court may deem just and necessary in the facts and circumstances of the case in the interest of Justice and equity.

The Election Petition No. 09/2004 was posted for orders before Hon'ble Election Judge on 16-07-2004, and the Hon'ble Court ordered to issue the Summons to the Respondents. On 24-08-2006 the Hon'ble Court passed the order as follows:

> *"granted the relief of recounting of votes and directed the recounting to be held by the Chief Electoral officer in the open court"*

and this order of the Hon'ble court was stayed by the Hon'ble Supreme Court in special leave to appeal (Civil) No. (S) 15128/2006. Hon'ble Supreme Court passed an order in Civil Appeal No. 4230/2006 (in E.P. 9/2004) and the operative portion of the order reads as follows:

> *"the Civil Appeal has become infructuous and it is disposed of accordingly"*

On 24-03-2010. Advocate for Respondent-3 in Election Petition 9/2004 filed a memo along with the Supreme Court order dated 13-01-2010 and the same was posted before Election Judge on 20-07-2010.

On 20-07-2010 court made the following order:

> *"Since the present petition has also become infructuous in view of the subsequent developments. I deem it just and proper that the security deposit made by the petitioner be refunded to the petitioner. Accordingly, the petition is disposed of "*
>
> *"The electoral documents and other material objects of the District Election Officer be returned to the respective officers"*

For the reasons stated in the order aforesaid it is ordered and decreed that the Election Petition be and the same is hereby disposed of for having become infructuous and it is further ordered and decreed that Security deposit made by the petitioner is ordered to be refunded to the petitioner in the aforesaid Election Petition. It is further ordered and decreed that the electoral documents and other material objects of the District Election Officer is ordered to be returned to the respective officers.

Given under my hand and the seal of this Court on 20-07-2010.

Registrar (Judicial)

BY ORDER,

R. K. SRIVASTAVA,

SECRETARY

PR. No. 9 ELECTION COMMISSION OF INDIA

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 12 ಕೇಶಾಪ್ರ 2011, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 27ನೇ ಮೇ, 2011.

2011ನೇ ಸಾಲಿನ ಮಾರ್ಚ್ 30ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷೆನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The National Capital Territory of Delhi Laws (Special Provisions) Act, 2011 (No. 5 of 2011) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 30th March, 2011/ Chaitra 9, 1933 *(Saka)*

The following Act of Parliament received the assent of the President on the 29th March, 2011, and is hereby published for general information.

THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS

(SPECIAL PROVISIONS) ACT, 2011

No. 5 OF 2011

An Act to make special provisions for the National Capital Territory of Delhi for a further period up to the 31st day of December, 2011 and for matters connected therewith or incidental thereto.

WHEREAS there had been phenomenal increase in the population of the National Capital Territory of Delhi owing to migration and other factors resulting in tremendous pressure on land and infrastructure leading to encroachment or unauthorised developments which are not in consonance with the concept of planned development as provided in the Master Plan for Delhi, 2001 and the relevant Acts and building bye-laws made thereunder;

AND WHEREAS the Master Plan for Delhi, 2001 was extensively modified and notified by the Central Government on the 7th day of February, 2007 with the perspective for the year 2021 keeping in view the emerging new dimensions in urban development *vis-a-vis* the social, financial and other ground realities;

AND WHEREAS the Master Plan for Delhi with the perspective for the year 2021 specifically provides for strategies for housing for urban poor as well as to deal with the informal sector;

AND WHEREAS a strategy and a scheme has been prepared by the local authorities in the National Capital Territory of Delhi for regulation of urban street vendors in accordance with the National Policy for Urban Street Vendors and the Master Plan for Delhi, 2021, and is being implemented;

AND WHEREAS based on the policy finalised by the Central Government regarding regularisation of unauthorised colonies, village *abadi* area and its extension, the guidelines and regulations for this purpose have been issued;

AND WHEREAS in pursuance of the guidelines and regulations necessary steps are being taken for regularisation of unauthorised colonies which, *inter alia,* involve scrutiny of layout plans, assessment of built up percentage existed as on the 31st day of March, 2002, identification of mixed use of streets, approval of layout plans, fixation of boundaries, change in land use and identification of colonies not eligible for regularisation;

AND WHEREAS more time is required for proper implementation of the scheme regarding hawkers and urban street vendors and for the regularisation of unauthorised colonies, village *abadi* area and its extension;

AND WHEREAS the revised policy for proper arrangements for relocation and rehabilitation of slum dwellers *and jhuggi-jhompri* clusters in the National Capital Territory of Delhi has been formulated and accordingly, the Delhi Urban Shelter Improvement Board Act, 2010 (Delhi Act 7 of 2010) has been enacted by the Government of National Capital Territory of Delhi and notified with effect from the 1st July, 2010 to provide for implementation of schemes for improvement of slums and *jhuggi-jhompri* clusters with a view to bring improvement in environment and living conditions, and to prepare housing scheme for such persons;

AND WHEREAS the draft policy regarding farm houses is under consideration in the Delhi Development Authority;

AND WHEREAS pursuant to the Master Plan for Delhi, 2021, the Zonal Development Plans in respect of various Zones have been notified which provides for regularisation of schools, dispensaries, religious institutions and cultural institutions;

AND WHEREAS the policy with respect to storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land are under consideration of the Central Government in consultation with the Delhi Development Authority;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Act, 2007, (43 of 2007) was enacted on the 5th day of December, 2007 to make special provisions for the areas, of the National Capital Territory of Delhi for a period up to the 31st day of December, 2008 which ceased to operate after the 31st December, 2008;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Act, 2009, (24 of 2009) was enacted in continuation of the aforesaid Act for a period up to the 31st day of December, 2009 to make special provisions for the areas of the National Capital Territory of Delhi and that Act ceased to operate after the 31st day of December, 2009;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2009, (40 of 2009) was enacted in continuation of the aforesaid Act for a period up to the 31st day of December, 2010 to make special provisions for the areas of the National Capital Territory of Delhi and that Act ceased to operate after the 31st day of December, 2010;

AND WHEREAS it is expedient to have a law in terms of the Master Plan for Delhi, 2021, in continuation of the said Act for a period up to the 31st day of December, 2011 to provide for temporary relief and to minimise avoidable hardships and irreparable loss to the people of the National Capital Territory of Delhi against any action by the concerned agency in respect of persons covered by the policies referred to above.

BE it enacted by Parliament in the Sixty-second year of the Republic of India as follows:-

1. Short title, extent, commencement and duration:

(1) This Act may be called the National Capital Territory of Delhi Laws (Special Provisions) Act, 2011.

(2) It extends to the National Capital Territory of Delhi.

(3) It shall be deemed to have come into force on the 1st day of January, 2011.

(4) It shall cease to have effect on the 31st day of December, 2011, except as respects things done or omitted to be done before such cesser, and upon such cesser section 6 of the General Clauses Act, 1897, (10 of 1897) shall apply as if this Act had then been repealed by a Central Act.

2. Definitions:

(1) In this Act, unless the context otherwise requires, -

(a) "building bye-laws" means bye-laws made under section 481 of the Delhi Municipal Corporation Act, 1957, (66 of 1957), or the bye-laws made under section 188, sub-section (3) of section 189 and sub-section (1) of section 190 of the Punjab Municipal Act, 1911, (Punjab Act 3 of 1911) as in force in New Delhi or the regulations made under sub-section (1) of section 57 of the Delhi Development Act, 1957, (61 of 1957) relating to buildings;

(b) "Delhi" means the entire area of the National Capital Territory of Delhi except the Delhi Cantonment as defined in clause (11) of section 2 of the Delhi Municipal Corporation Act, 1957, (66 of 1957);

(c) "encroachment" means unauthorised occupation of Government land or public land by way of putting temporary, semi-permanent or permanent structure for residential use or commercial use or any other use;

(d) "local authority" means the Delhi Municipal Corporation established under the Delhi Municipal Corporation Act, 1957, (66 of 1957) or the New Delhi Municipal Council established under the New Delhi Municipal Council Act, 1994, (44 of 1994) or the Delhi Development Authority established under the Delhi Development Act, 1957, (61 of 1957) legally entitled to exercise control in respect of the areas under their respective jurisdiction;

(e) "Master Plan" means the Master Plan for Delhi with the perspective for the year 2021, notified *vide* notification number S.O.141 (E), dated the 7th day of February, 2007 under the Delhi Development Act, 1957, 61 of 1957;

f) "notification" means a notification published in the Official Gazette;

(g) "punitive action" means action taken by a local authority under the relevant law against unauthorised development and shall include demolition, sealing of premises and displacement of persons or their business establishment from their existing location, whether in pursuance of court orders or otherwise;

(h) "relevant law" means in case of –

(i) the Delhi Development Authority, the Delhi Development Act, 1957, (61 of 1957)

(ii) the Municipal Corporation of Delhi, the Delhi Municipal Corporation Act,1957, (66 of 1957); and

(iii) the New Delhi Municipal Council, the New Delhi Municipal Council Act, 1994, (44 of 1994);

(i) "unauthorised development" means use of land or use of building or construction of building or development of colonies carried out in contravention of the sanctioned plans or without obtaining the sanction of plans, or in contravention of the land use as permitted under the Master Plan or Zonal Plan or layout plan, as the case may be, and includes any encroachment.

(2) Words and expressions used but not defined herein shall have the meanings respectively assigned to them in the Delhi Development Act, 1957, (61 of 1957), the Delhi Municipal Corporation Act. 1957, (66 of 1957) and the New Delhi Municipal Council Act, 1994, (44 of 1994).

3. Enforcement to be kept in abeyance:

(1) Notwithstanding anything contained in any relevant law or any rules, regulations or bye-laws made thereunder, the Central Government shall before the expiry of this Act, take all possible measures to finalise norms, policy guidelines, feasible strategies and make orderly arrangements to deal with the problem of encroachment or unauthorised development in the form of encroachment by slum dwellers and *Jhuggi-Jhompri* clusters, hawkers and urban street vendors, unauthorised colonies, village *abadi* area (including urban villages), and its extension, existing farm houses involving construction beyond permissible building limits and schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land, as mentioned below:

(a) orderly arrangements for relocation and rehabilitation of slum dwellers and *Jhuggi-Jhompri* clusters in the National Capital Territory of Delhi in accordance with the provisions of the Delhi Urban Shelter Improvement Board Act, 2010, (Delhi Act 7 of 2010), and the Master Plan for Delhi, 2021 to ensure its development in a sustainable, planned and humane manner;

(b) scheme and orderly arrangements for regulation of urban street vendors in consonance with the national policy for urban street vendors and hawkers as provided in the Master Plan for Delhi, 2021;

(c) orderly arrangements pursuant to guidelines and regulations for regularisation of unauthorised colonies, village *abadi* area (including urban villages) and its extension, as existed on the 31st day of March, 2002, and where construction took place even beyond that date and up to the 8th day of February, 2007;

(d) policy regarding existing farm houses involving construction beyond permissible building limits; and

(e) policy or plan for orderly arrangement regarding schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land.

(2) Subject to the provisions contained in sub-section (1) and notwithstanding any judgment, decree or order of any court, *status quo*—

(i) as on the 1st day of January, 2006 in respect of encroachment or unauthorised development; and

(ii) in respect of unauthorised colonies, village *abadi* area (including urban villages) and its extension, which existed on the 31st day of March, 2002 and where construction took place even beyond that date and up to the 8th day of February, 2007, mentioned in sub-section (1),

shall be maintained.

(3) All notices issued by any local authority for initiating action against encroachment or unauthorised development referred to in sub-section (1), shall be deemed to have been suspended and no punitive action shall be taken till the 31st day of December, 2011.

(4) Notwithstanding any other provision contained in this Act, the Central Government may, at any time before the 31st day of December, 2011, withdraw the exemption by notification in respect of encroachment or unauthorised development mentioned in sub-section (2) or sub-section (3), as the case may be.

4. Provisions of this Act not to apply in certain cases: During the period of operation of this Act, no relief shall be available under the provisions of section 3 in respect of the following encroachment or unauthorised development, namely:-

a) encroachment on public land except in those cases which are covered under clauses (a), (b) and (c) of sub-section (1) of section 3;

(b) removal of slums and *Jhuggi-Jhompri* dwellers, hawkers and urban street vendors, unauthorised colonies or part thereof, village *abadi* area (including urban villages) and its extension in accordance with the relevant policies approved by the Central Government for clearance of land required for specific public projects.

5. Power of Central Government to give directions : The Central Government may, from time to time, issue such directions to the local authorities as it may deem fit, for giving effect to the provisions of this Act and it shall be the duty of the local authorities, to comply with such directions.

6. Validation of acts done or omitted to be done, etc., during 1st January, 2011 up to the date of commencement of this Act: Notwithstanding any judgment, decree or order of any court, all things done, or, omitted to be done, and all action taken, or, not taken, during the period beginning on or after the 1st day of January, 2011 and ending immediately before the date of commencement of this Act, shall, in so far as they are in conformity with the provisions of this Act, be deemed to have been done, or, omitted to be done, or, taken, or, not taken, under these provisions as if such provisions were in force at the time such things were done or omitted to be done and action taken or not taken during the aforesaid period.

V. K. BHASIN,
Secretary to the Government of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೊ,
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

PR. No. 10

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 15 ಕೇಶಾಪ್ರ 2011, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 27ನೇ ಮೇ, 2011.

2011ನೇ ಸಾಲಿನ ಮೇ 10ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷೆನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Indian Medical Council (Amendment) Ordinance, 2011 (No. 1 of 2011) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 10th May, 2011/Vaisakha 20, 1933 *(Saka).*

THE INDIAN MEDICAL COUNCIL (AMENDMENT) ORDINANCE, 2011

No. 1 OF 2011

Promulgated by the President in the Sixty-second Year of the Rupublic of India.

An Ordinance further to amend the Indian Medical Council Act, 1956.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for her to take immediate action ;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:-

1. **Short title and commencement**-(1) This Ordinance may be called the Indian Medical Council (Amendment) Ordinance, 2011.

(2) It shall come into force at once.

2. **Amendment of section 3A of Act 102 of 1956.-**In section 3A of the Indian Medical Council Act, 1956, in sub-section (2), for the words “one year”, the words “two years” shall be substituted.

PRATIBHA DEVISINGH PATIL,
President

V.K. BHASIN,
Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೊ,
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR. No. 11